

06-18-01

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J1055 06/15/01
U.S. PTOUTILITY PATENT APPLICATION TRANSMITTAL
(Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
L01-11CIPEXORTotal Pages in this Submission
49

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

EXO-R-MECAMYLAMINE FORMULATION AND USE IN TREATMENT

and invented by:

Douglas Shytle, Paul Sanberg, Mary Newman, Archie Silver

1033 U.S. PTO
09/1882934

06/15/01

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: PCT/US99/30137

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: 60/112,534

Which is a:

 Continuation Divisional Continuation-in-part (CIP) of prior application No.: _____

Enclosed are:

Application Elements

1. Filing fee as calculated and transmitted as described below
2. Specification having 36 pages and including the following:
 - a. Descriptive Title of the Invention
 - b. Cross References to Related Applications (*if applicable*)
 - c. Statement Regarding Federally-sponsored Research/Development (*if applicable*)
 - d. Reference to Microfiche Appendix (*if applicable*)
 - e. Background of the Invention
 - f. Brief Summary of the Invention
 - g. Brief Description of the Drawings (*if drawings filed*)
 - h. Detailed Description
 - i. Claim(s) as Classified Below
 - j. Abstract of the Disclosure

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49

Application Elements (Continued)

3. Drawing(s) (when necessary as prescribed by 35 USC 113)
a. Formal b. Informal Number of Sheets 5

4. Oath or Declaration
a. Newly executed (original or copy) Unexecuted
b. Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
c. With Power of Attorney Without Power of Attorney
d. **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).

5. Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.

6. Computer Program in Microfiche

7. Genetic Sequence Submission (if applicable, all must be included)
a. Paper Copy
b. Computer Readable Copy
c. Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. Assignment Papers (cover sheet & documents)

9. 37 CFR 3.73(b) Statement (when there is an assignee)

10. English Translation Document (if applicable)

11. Information Disclosure Statement/PTO-1449 Copies of IDS Citations

12. Preliminary Amendment

13. Acknowledgment postcard

14. Certificate of Mailing
 First Class Express Mail (Specify Label No.): ET440340215US

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Accompanying Application Parts (Continued)

15. Certified Copy of Priority Document(s) *(if foreign priority is claimed)*
16. Small Entity Statement(s) - Specify Number of Statements Submitted: _____
17. Additional Enclosures *(please identify below)*:

Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

18. Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

Warning

An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.

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(Small Entity)

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Docket No.
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49

Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	20	- 20 =	0	x \$9.00	\$0.00
Indep. Claims	4	- 3 =	1	x \$40.00	\$40.00
Multiple Dependent Claims (check if applicable)	<input type="checkbox"/>				\$0.00
				BASIC FEE	\$355.00
OTHER FEE (specify purpose)					\$0.00
				TOTAL FILING FEE	\$395.00

A check in the amount of _____ to cover the filing fee is enclosed.

The Commissioner is hereby authorized to charge and credit Deposit Account No. **500422** as described below. A duplicate copy of this sheet is enclosed.

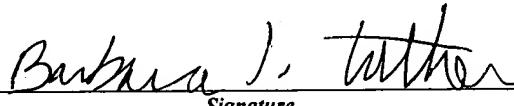
Charge the amount of **\$395.00** as filing fee.

Credit any overpayment.

Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.

Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: **June 15, 2001**


Barbara J. Luther
Signature

Barbara J. Luther, Reg. No. 33,954
 Barbara J. Luther, Chartered
 18124 Wedge Parkway, PMB 516
 Reno, NV 89511
 Telephone: 775-849-9746
 Fax: 775-849-7816

cc:

CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10)

Applicant(s): Shytle, Sanberg, Newman and Silver

Docket No.

L01-11CIPEXOR

Serial No.

Filing Date

June 15, 2001

Examiner

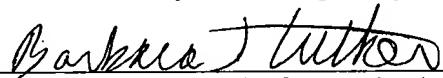
Group Art Unit

Invention: EXO-R-MECAMYLAMINE FORMULATION AND USE IN TREATMENT

I hereby certify that the following correspondence:

PATENT APPLICATION*(Identify type of correspondence)*

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under
37 CFR 1.10 in an envelope addressed to: The Assistant Commissioner for Patents, Washington, D.C. 20231 on

June 15, 2001*(Date)***Barbara J. Luther***(Typed or Printed Name of Person Mailing Correspondence)**(Signature of Person Mailing Correspondence)***ET440340215US***("Express Mail" Mailing Label Number)*

Note: Each paper must have its own certificate of mailing.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$)

355

Complete if Known

Application Number	
Filing Date	June 15, 2001
First Named Inventor	GOLDENBERG, Marius
Examiner Name	
Group Art Unit	
Attorney Docket No.	75622.P0037

16/15/01
09/18/82938

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																											
<p>1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number <input type="text"/></p> <p>Deposit Account Name <input type="text"/></p> <p><input type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p>				<p>3. ADDITIONAL FEES</p> <table border="1"> <thead> <tr> <th>Large Entity Fee Code (\$)</th> <th>Small Entity Fee Code (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for <i>ex parte</i> reexamination</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195 Extension for reply within second month</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445 Extension for reply within third month</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695 Extension for reply within fourth month</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945 Extension for reply within fifth month</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155 Notice of Appeal</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155 Filing a brief in support of an appeal</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135 Request for oral hearing</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive - unavoidable</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620 Petition to revive - unintentional</td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620 Utility issue fee (or reissue)</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220 Design issue fee</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300 Plant issue fee</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Petitions related to provisional applications</td></tr> <tr><td>126</td><td>240</td><td>126</td><td>240 Submission of Information Disclosure Stmt</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355 Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355 For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355 Request for Continued Examination (RCE)</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td></tr> <tr><td colspan="4">Other fee (specify) _____</td></tr> <tr> <td colspan="4">*or number previously paid, if greater; For Reissues, see above</td> <td colspan="2">Reduced by Basic Filing Fee Paid</td> <td colspan="2">SUBTOTAL (3) (\$)</td> </tr> <tr> <td colspan="2">SUBMITTED BY</td> <td colspan="6">Complete (if applicable)</td> </tr> <tr> <td>Name (Print/Type)</td> <td>William D. Davis</td> <td>Registration No. (Attorney/Agent)</td> <td>38,428</td> <td>Telephone</td> <td colspan="3">(916) 364-1270</td> </tr> <tr> <td>Signature</td> <td><i>William D. Davis</i></td> <td>Date</td> <td colspan="5">06-15-2001</td> </tr> </tbody> </table>				Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - late filing fee or oath	127	50	227	25 Surcharge - late provisional filing fee or cover sheet	139	130	139	130 Non-English specification	147	2,520	147	2,520 For filing a request for <i>ex parte</i> reexamination	112	920*	112	920* Requesting publication of SIR prior to Examiner action	113	1,840*	113	1,840* Requesting publication of SIR after Examiner action	115	110	215	55 Extension for reply within first month	116	390	216	195 Extension for reply within second month	117	890	217	445 Extension for reply within third month	118	1,390	218	695 Extension for reply within fourth month	128	1,890	228	945 Extension for reply within fifth month	119	310	219	155 Notice of Appeal	120	310	220	155 Filing a brief in support of an appeal	121	270	221	135 Request for oral hearing	138	1,510	138	1,510 Petition to institute a public use proceeding	140	110	240	55 Petition to revive - unavoidable	141	1,240	241	620 Petition to revive - unintentional	142	1,240	242	620 Utility issue fee (or reissue)	143	440	243	220 Design issue fee	144	600	244	300 Plant issue fee	122	130	122	130 Petitions to the Commissioner	123	50	123	50 Petitions related to provisional applications	126	240	126	240 Submission of Information Disclosure Stmt	581	40	581	40 Recording each patent assignment per property (times number of properties)	146	710	246	355 Filing a submission after final rejection (37 CFR § 1.129(a))	149	710	249	355 For each additional invention to be examined (37 CFR § 1.129(b))	179	710	279	355 Request for Continued Examination (RCE)	169	900	169	900 Request for expedited examination of a design application	Other fee (specify) _____				*or number previously paid, if greater; For Reissues, see above				Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)		SUBMITTED BY		Complete (if applicable)						Name (Print/Type)	William D. 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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.